

(hereinafter "the Weaver patent"). The Applicants traverse the arts grounds of rejection.

The Weaver patent teaches attempting to control a final transmit power (y) of a base station in a cellular communication system. The Weaver patent uses a power detector to measure the transmit power of the final output signal (w_0) at the output of the base station, at a point in time (t). Thus, determining the actual transmit power (y) at that time (t). The measurements of the transmit power detector 40 are used to adjust the final output signal (w_0). Weaver; col. 7, line 45 - col. 8, line 3. Therefore, the Weaver patent bases its method of controlling the final transmit power (y), on the measurements of the transmit power detector 40.

The Weaver patent fails to teach independent claims 1, 9, 15 and 21. In particular, the Weaver patent fails to teach calculating or determining "an interference measure based on a power of a pilot signal received at the mobile unit," (emphasis added) as taught by Applicants' claim 1, 9 and 15 respectively; or "calculating an interference measure based on a power of a pilot signal received at the mobile unit and a power of the pilot signal transmitted by the base station," (emphasis added) as taught by Applicants' claim 21.

Having shown the Weaver patent fails to teach claims 1, 9, 15 and 21, the Applicants respectfully request the allowance of those claims. Further, the Applicants submit that claims 2-5, 8, 10-12, 16-18 and 22-24 are allowable at

least by virtue of their dependency on claims 1, 9, 15 and 21, as well as on their own merits.

The Examiner rejects claims 6-7, 13, 14, 19, 20, 25 and 26 as being unpatentable over the Weaver patent in view of Keevill et al., U.S. Patent No. 6,359,938 (hereinafter "the Keevill patent"). The Applicants traverse this arts grounds of rejection.

The Keevill patent teaches a circuit using a digital receiver for multicarrier signals transmitted by orthogonal frequency division multiplexing. The multicarrier signal carries a stream of data symbols. An I/Q demodulator is provided for recovering in-phase and quadrature components from the data sampled by an ADD converter and an automatic gain control circuit is coupled to the ADD converter. The I/Q signals are sampled at a first rate and resampled at a second rate. A Fast Fourier Transform ("FFT") window synchronization circuit is coupled to the resampling circuit and a monitor circuit is coupled to the FFT, such that the boundary between an active symbol and a guard interval can be located. Thus, the Keevill patent attempts to present a circuit suitable for the reception of digital video broadcasts.

As previously explained, the Weaver patent fails to teach or disclose Applicants' claim 1, 9, 15 and 21. In addition, even a cursory review of the Keevill patent reveals that the Keevill patent fails to overcome the disclosure and suggestion deficiencies of the Weaver patent and fails to make those deficiencies obvious with respect to claims 1, 9, 15 and 21. Thus, for at least

the reasons that claims 6-7, 13, 14, 19, 20, 25 and 26 depend from allowable claims 1, 9, 15 and 21 respectively, as well as on their merits, claims 6-7, 13, 14, 19, 20, 25 and 26 are allowable, and allowance is requested.

CONCLUSION

In view of the above remarks, reconsideration of the various rejections and allowance of claims 1-26 is respectfully requested.

In the event that there are any outstanding matters remaining in the present application, the Examiner is invited to contact Terance Madden at (703) 668-8024 in the Washington, D.C. area, to discuss this application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

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